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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,452	06/25/2001	Prabhakar Gopalan	AUS920010328US1	8688

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EXAMINER

JUNG, DAVID YIUK

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,452

Applicant(s)

Gopalan

Examiner

David Jung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 15, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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III. DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claims Presented

2. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over www.javaworld.com/javaworld/jw-03-1998/jw-03-javadev_p.html (hereinafter also referred as "Card").

5. In regard to claim 1, Card teaches a programmable apparatus comprising

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a data base in a first computer (Section What is a Java Card, Subsection The Java Card 2.0 framework, i.e. MasterCard and Visa ... support smart card systems and applications -- thus, the Java Card works with a data base in a computer that handles financial data, such as credit data);

a ...;

a second computer connected to the first computer by the ... (Section What is a Java Card, Subsection The Java Card 2.0 framework, i.e. MasterCard and Visa ... support smart card systems and applications -- thus, the Java Card works with a machine that is connected to a computer that has financial data, such as credit data);

wherein a consumer uses a basic number and a primary number to access an account in the data base and the consumer can modify an account data in the data base (Section How to write a Java Card applet, i.e. electronic wallet application, access to the wallet is authenticated by an owner PIN): and

wherein a merchant uses the primary number and a secondary number to access the account and the merchant isohibited from modifying the account data in the data base (Section How to write a Java Card applet, i.e. electronic wallet application, access to the wallet is authenticated by an owner PIN).

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6. These passages of Card are not explicit about "network" (albeit such connecting of data machines would indicate that a network would not be prohibited -- even if connecting with non-network equipment, such as a line, is sometimes used).

7. It was well known in the art to connect computers "by the network" in a Java system such as Card for the motivation of providing convenient access to the user.

8. It would have been obvious at the time of the claimed invention to modify the teachings of these passages of Card to have such "network" for the motivation noted in the previous paragraphs.

9. Regarding claim 2, such particular scheduled payments are well known in the art for the motivation of providing convenience to the user.

10. Regarding claims 3, 5, 7, 8, 11, 12, 25, such handling of consumers by such particular uses of basic, primary and secondary numbers in such particular ways are suggested by Card (Section What is a Java Card, Subsection The lifetime of a Java Card, i.e. discussion on personalization of consumer data -- which permits consumers to use such data).

11. Regarding claims 4, 6, 9, 10, 13, 24, such handling of merchants by such particular uses of basic, primary and secondary

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numbers in such particular ways are suggested by Card (Section What is a Smart Card, i.e. discussion on card acceptance devices -- which permits merchants to use such data).

12. Regarding claim 25, such centralized data handling are suggested by Card (Section What is a Java Card, i.e. discussion on Java Card framework and the smart cards being limited in resources -- hence, the framework gives reasons for a centralized computer that handles more data).

13. Regarding claims 14, Card teaches "a data base that ... by a consumer having a basic number and a primary number and by any party to whom the use consumer provides the primary number and the secondary number; and

wherein the primary number and secondary number are specific to each individual party to whom the consumer provides the primary number and the secondary number (Section What is a Java Card, Subsection The Java Card 2.0 framework, i.e. MasterCard and Visa ... support smart card systems and applications -- thus, the Java Card works with a machine that is connected to a computer that has financial data, such as credit data)."

14. These passages of Card are not explicit about "may be accessed" by a consumer (albeit such connecting of data machines would indicate that a network permitting such an access would not

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be prohibited -- even if connecting with non-network equipment, such as a line which may not provide such types of "access" to a consumer, is sometimes used).

15. It was well known in the art to connect computers by a network so that the database "may be accessed" by a consumer in a Java system such as Card for the motivation of providing convenient access to the user.

16. It would have been obvious at the time of the claimed invention to modify the teachings of these passages of Card to have such feature of "may be accessed" for the motivation noted in the previous paragraphs.

17. Regarding claim 15 (Internet, etc.), claim 16 (e.g. server, etc.), claim 17 (distributed data), such particular connected system features are well known in the art for the motivation of permitting large scale enterprises.

18. Regarding claims 18, Card teaches a method for remotely providing personal information from a data base comprising the steps of registering with the data base; obtaining a primary number and a secondary number; providing a person to whom ... is desired with a primary number and a secondary number; wherein the primary number and the secondary number allow access to the data base:

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wherein the primary number and the secondary number prohibit modification to the data base; and wherein the primary number and secondary number are specific to each individual person to whom the consumer provides the primary number and the secondary number (Section What is a Java Card, Subsection The Java Card 2.0 framework, i.e. MasterCard and Visa ... support smart card systems and applications -- thus, the Java Card works with a machine that is connected to a computer that has financial data, such as credit data).

19. These passages of Card are not explicit about "access" by the person (albeit such connecting of data machines would indicate that a network permitting such an access would not be prohibited -- even if connecting with non-network equipment, such as a line which may not provide such types of "access" to a consumer, is sometimes used).

20. It was well known in the art to connect computers by a network so that the database may be given "access" to a person in a Java system such as Card for the motivation of providing convenient access to the user.

21. It would have been obvious at the time of the claimed invention to modify the teachings of these passages of Card to have such feature of "access" for the motivation noted in the

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previous paragraphs.

22. Regarding claims 19 (actual accessing), claim 20 (secondary number, etc.), claim 21 (combination of numbers), claim 22 (synchronization), these features are suggested by Card (Section What is a Java Card, Subsection The lifetime of a Java Card, i.e. discussion on personalization of consumer data -- which permits consumers to use such data).

23. Regarding claim 23, Card teaches "a computer readable memory comprising: a computer readable storage medium; a data base in said computer readable memory; a computer program stored in said storage medium; wherein the storage medium, so configured by the computer program, allows ... to, but not modification of, the data base upon receipt of a correct combination of a primary and a secondary number (Section What is a Java Card, Subsection The Java Card 2.0 framework, i.e. MasterCard and Visa ... support smart card systems and applications -- thus, the Java Card works with a machine that is connected to a computer that has financial data, such as credit data)."

24. These passages of Card are not explicit about "access" (albeit such connecting of data machines would indicate that a network permitting such an access would not be prohibited -- even if connecting with non-network equipment, such as a line which

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may not provide such types of "access" to a consumer, is sometimes used).

25. It was well known in the art to connect computers by a network so that the database may be given "access" in a Java system such as Card for the motivation of providing convenient access to the user.

26. It would have been obvious at the time of the claimed invention to modify the teachings of these passages of Card to have such feature of "access" for the motivation noted in the previous paragraphs.

Conclusion

Points of Contact

27. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications
intended for entry)

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Or:

(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (703) 308-5262 or Dov Popovici whose telephone number is (703) 305-3830.

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David Jung

A handwritten signature in black ink, appearing to be 'David Jung', written over a dashed line.

Patent Examiner

November 25, 2003